The A. F. of L. Weekly News Service gives a brief summary of important matters affecting labor, occurring in the industrial, legislative and judicial fields, and such other information that will benefit the trade union movement.

AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

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We believe easily what we fear or what we desire.—La Fontaine.

WHOLE NO. 884. WASHINGTON, D. C., SATURDAY, MARCH 17, 1928. VOL. 18, NO. 1.

FALSE DEFINITIONS IS PROP FOR LABOR INJUNCTION

The labor injunction should be discussed in terms of principle.

If men permit themselves to be enmeshed in generalities of property-defending lawyers, they will be confused, as is purposed.

First, let it be understood that the equity—or chancery—process is a necessary part of our judicial system.

There are innumerable situations where a law court can not protect property or a property right. Equity—or chancery—will then afford relief.

Until recently personal rights were not considered part of the equity process.

Of late, however, personal rights have been stealthily brought under equity jurisdiction by scrambling them up with property rights, and therein is labor's protest.

An equity judge is unfitted to pass on human relations.

He is not guided by statute, precedent or rule, as in a law court.

The equity judge is supreme. His conscience, his mood and his economic viewpoint are his sole guide, from which there is no appeal. That is why human rights are not safe in his custody.

So when he passes on a question in which property rights and personal rights have been trickily entwined, the record shows that he rules in favor of property, even though fundamental personal rights are denied.

The scrambling of property rights and human rights has been made possible by creating the impression that there is a distinction between "business" and "labor," and that both are the same as property.

Every standard dictionary, however, makes no distinction between "business" and "labor."

The Century Dictionary and Cyclopedia, for instance, tells us:

Business—A matter or affair that engages a person's attention or requires his care; an affair receiving or requiring attention; specifically, that which busies or occupies one's time, attention and labor as his chief concern; that which one does for a livelihood.

Labor—To make a physical or mental effort to accomplish some end; exert the powers of body or mind for the attainment of some result; work, strive.

Every authority agrees that to do business is to labor and that to labor is to do business—both are the same. These authorities reject the fiction that to labor one must be covered with grime, and that to do business one must sit in front of a mahogany desk.

These authorities also draw a sharp distinction between "property" and "business" or "labor."

Property is a product of nature or of man's activity. Property is a thing that man owns and can transfer; something over which he has sole dominion and control.

By classifying "property" with "business-labor" the injunction judge has had a free field in subverting government by law and setting up government by discretion.

The labor injunction issue can be summed up in these two points: If business and labor is property, the labor injunction judge is right.

If business and labor are human relations, and have no connection with property, the labor injunction judge has usurped his powers.

Labor holds the latter view and asks Congress to pass the pending Shipstead-La Guardia bill.

This proposed legislation re-establishes the injunction process as originally intended and used.

HIGH WAGES FOLLOW SHORTER WORK DAY

Memphis, Tenn., March 17.—High wages generally accompany short working hours while low wages accompany long hours and frequently undesirable working conditions.

This statement was made by Miss Caroline Manning of the United States Women's Bureau in discussing a survey of Tennessee wage-working women in a speech in this city.

The bureau's survey included wages, hours and working conditions of 16,000 women.

"Pay rolls examined by us," said Miss Manning, "show that for the early part of 1925 the median of the weekly earnings of the women—that is, half the women earning more and half earning less—was found to be $11.10 for white women and $6.95 for negroes."

The survey showed that some firms voluntarily reduced working hours from 10 to 9 a day, almost half of the women worked 10 hours or longer. One-half of them had a week day of 55 hours or more. One-half the women were 25 years or older and 50 per cent were or had been married, with consequent responsibilities.

BARBERS FACE ATTACK BY LOW-WAGE BOSSES

Indianapolis, March 17.—James C. Shanessy, general president of the Barbers' International Union, calls attention to the quiet campaign that is being conducted against that organization.

"For several months," said Mr. Shanessy, "articles are circulated in pamphlet form among employing barbers in which our union is attacked for insisting that employing barbers who display the union shop card shall sign a wage-guarantee contract. These articles claim that the work of a barber is 'prospective' and not 'positive,' like in other trades and callings.

"This is only another way of presenting anti-union propaganda. All business is more or less prospective.

"The Journeymen Barbers' International Union appeals to every trade unionist to support them by only patronizing barber shops that display the union shop card of our organization."

President Shanessy states that the barbers' international has launched an organizing campaign throughout their jurisdiction.

"This will benefit not only our union, but the entire trade union movement," he said.

PULLMAN PORTERS LOSE IN FIGHT AGAINST TIPS

Washington, March 17.—The Interstate Commerce Commission dismissed a complaint of the Brotherhood of Sleeping Car Porters against the Pullman Company which sought to end the practice of having sleeping car attendants take a portion of their wages in tips of the traveling public.

The porters said wages paid by the company average $72.50 a month; that this wage is fixed after taking into consideration the amount the company estimates the porter will receive in tips, and that $72.50 is not more than one-half to two-thirds of a living wage.

A majority of the commission ruled that "the real objectives sought are increased wages for the porters and maids in the Pullman company employ. We have no power to regulate wages and consequently no authority to inquire into the justness of the complainants' demands, however meritorious they might prove to be."

Commissioners Atchison, Eastman and Lewis dissented. They said the porters seem to state facts which, if established, may constitute violation of the Interstate Commerce Act, and expressed the opinion that the question should be further investigated.

ANTI-INJUNCTION BILL OPPOSED BY LAWYERS

New York, March 17.—A Bar Association Committee has refused to approve anti-labor injunction legislation pending in the State Legislature.

The measure is known as the Byrne-Lefkowitz bill. It would deny courts the right to issue labor injunctions unless the party to be enjoined is first heard.

THAT JACKSONVILLE AGREEMENT

Fact-dodging coal owners and word-twisting attorneys are attempting to justify abrogation of the Jacksonville agreement.

The agreement was signed February 19, 1924, by miners and coal owners of Illinois, Indiana, Ohio and western Pennsylvania, and was to continue from April 1, 1924, to March 31, 1927. It reaffirmed existing conditions and called for no change in wages or work conditions.

It further provided that both parties should again assemble "the second Monday of February, 1927, at Miami, Florida," or two weeks before expiration of the agreement, to consider a new contract.

The Jacksonville agreement has no double meaning. It is as plain and direct as the English language can make it.

The coal owners, however, are excusing a violation of their pledged word that is unequalled in this country. They would sweep aside the foundation of industrial peace. They would legalize contract breaking and would mock a solemn pact between employer and employed.

"DUTY" IS OF FIRST IMPORTANCE

This week's cables tell us Premier Baldwin gave this advice to British voters:

"Don't talk about your rights; talk about your duty. If everybody in the country did his duty there would be no question of his rights."

The Premier's advice can apply to citizens on this side of the Atlantic who ignore industrial injustice until they are inconvenienced and who then insist that their "rights" are interfered with.

In the present miners' strike, nearly a year old, no one talks about the "rights" of the public. The non-union fields are supplying coal.

When a previous soft coal suspension loomed, and Federal Judge Anderson issued his famous anti-strike injunction, the "rights" of the public were loudly proclaimed.

The non-union area then was not as extensive as now.

When men talk about their "rights" they should not overlook their duty to resist injustice inflicted on their fellow men.

Let defenders of their "rights" read of conditions in the Pittsburgh coal strike area, where, United States Senator Gooding says, "the (Senate) committee found men, women and children living in hovels which are more unsanitary than a modern swine-pen."

GOVERNORS DEFEND PRISON-LABOR PLAN

Washington, March 17.—Governors of four New England states defend the present prison-labor system and petition Congress to reject the Cooper-Hawes bill that will permit states to apply their laws governing convict-made goods to convict-made goods shipped into those states.

The state executives are: Trumbull of Connecticut, Case of Rhode Island, Weeks of Vermont and Spaulding of New Hampshire. They claim this law will be the entering wedge to the adoption of laws that will permit states to determine what other states they will do business with.

The governors fear that the Cooper-Hawes bill will bring unemployment in prisons and "cause serious injury of the inmates thereof and a great increase in expense of maintenance of such institutions."

This alarming condition would follow the passage of the Cooper-Hawes bill, "as every state would be obliged to pass statutes prohibiting the sale of the goods covered by such legislation for its own protection."

The petition, in fact, sustains supporters of the bill, who claim it would be a blow to convict-labor goods that compete with free labor.

BRITISH OUT-OF-WORKS ARE SHIPPED TO CANADA

Vancouver, Canada, March 17.—Dominion trade unionists protest against the Canadian National Railways advertising in England for farm workers.

British newspapers announce that "4,500 men, regardless of farm experience, are wanted for definite jobs in Canada. The successful applicants will travel at assisted rates and employment is assured."

Boys will be trained in agriculture and free passage without repayment is promised.

The Labor Statesman, owned by the Vancouver Trades and Labor Council, says "every large city in Canada has its quota of unemployed and cities in the prairie provinces are even deporting men to the coast."

WORKERS WANT SHARE OF GREATER OUTPUT

Denver, March 17.—In arbitration hearings with newspaper managers, the local Typographical Union took the new wage position of the A. F. of L.—that as a result of increased production through improved machinery and methods, workers should receive a proportionate share of the total production.

The employers do not answer this argument.

U. S. AID TO KIDDIES FAVORED IN CONGRESS

Washington, March 17.—Senator Wheeler of Montana has introduced a bill to create a Federal Child Relief Board with an authorized appropriation of $75,000,000 to administer relief for children in distress in prolonged strikes such as those in the bituminous coal fields, children of the unemployed and of other parents in extreme poverty, including children of farmers in distressed agricultural areas. Congressman La Guardia has introduced the same bill in the House.

Senator Wheeler is a member of the the Senate Interstate Commerce Committee and served with Senators Gooding, Wagner and Pine as a subcommittee that investigated conditions in the Pittsburgh coal strike zone. Their report is a scathing indictment of conditions in that area.

Congressman La Guardia has also visited the coal strike area, and has made spirited speeches on this subject. He introduced the Shipstead anti-injunction bill in the House.

PURCHASING POWER CAN'T COPE WITH NEW MACHINERY'S OUTPUT

Springfield, Ohio, March 17.—Increased productivity and investment of American capital in foreign industries are unemployment factors, said Edward F. McGrady, A. F. of L. legislative representative, in an address in this city.

"Displacement of labor through automatic processes reaches into every corner of industry," said Mr. McGrady. "Charging furnaces in steel making, formerly done by 14 men, is now done by two men. The unloading of pig iron is done by two men who have replaced 128 workers.

"Seven men cast as much pig iron as 60 men did a few years ago. There is a per man productivity increase of 83 per cent in petroleum; 98 per cent in mining; 45 per cent in agriculture; 40 per cent in railroads; 210 per cent in rubber, and 61 per cent in cement.

"In 1927 the automobile industry alone increased 127 per cent. We are producing 1,400 per cent more automobiles than 20 years ago with an increase of only 10 per cent in workers."

"The great problem of government and of industry," continued Mr. McGrady, "is to find ways to use hundreds of thousands of skilled workers who are thrown upon the streets. Another thing that should receive careful thought is the capital American industrialists are investing in European and Asiatic countries. Not satisfied with profits in America, these industrialists have erected factories overseas and in a large measure have stolen foreign markets from this country.

"American investments abroad increased 72 per cent in 1927. Foreign security purchased by Americans in the first quarter of 1927 totaled $11,900,000,000. This vast investment is reacting against American industries and American workers. For instance, of the recent $78,400,000 loan to Italy, $48,000,000 went into Italian industries.

"If American capitalists take vast sums of money made here and transfer that money into the nations of our competitors, and there manufacture goods which will not only deprive us of our foreign markets, but eventually eat into our home market, it means that we will have a serious curtailment of American industry."

NON-CONFORMISTS NEED COURAGE

If you would serve your brother, because it is fit for you to serve him, do not take back your words when you find that prudent people do not commend you. Adhere to your own act and congratulate yourself if you have done something strange and extravagant and broken the monotony of a decorous age. It was a high counsel that I once heard given to a young person: "Always do what you are afraid to do."—Ralph Waldo Emerson.

FAKE WATER REPORT AUTHOR IS USED BY LOW-WAGE BOSSES

Washington, March 17.—At the coal strike hearing, conducted by the Senate Interstate Commerce Committee, John L. Lewis, president of the United Mine Workers, exposed methods employed by coal owners and their allies to influence public opinion against the workers.

"In 1927," said Mr. Lewis, "the Ohio Chamber of Commerce, at the behest of Ohio operators, made a mock investigation of the Ohio coal industry, directed by one Samuel S. Wyer, a consulting engineer.

"Fulfilling the purpose of his employment, Mr. Wyer offered only one solution, a pauperized wage scale. He will be remembered by members of the United States Senate as the American engineer who faked a report condemning Canadian waterpower development and then, without authority, used the frank of the Smithsonian Institution to give his report official color.

"On May 18, 1925, he was publicly denounced in the United States Senate by Senator Norris and others as a fakir, which was followed by a proper apology to the Canadian government.

"Sometimes our economic judgment is sustained by strange sources. Immediately following the Wyer report on the Ohio coal industry, the Daily West Virginian, published at Fairmont, West Virginia, in the heart of the coal region where wages had been depressed, editorially rebuked the Ohio Chamber of Commerce for its wage reduction program. This journal had witnessed business depressions that followed wage reductions and had first-hand information of the misery and suffering that such uneconomic operations fastened upon innocent people."

'LAME DUCK' MEASURE DEFEATED IN HOUSE

Washington, March 17.—The Norris "lame duck" amendment to the Federal Constitution was defeated in the House after a three-day debate. The non-partisan vote was 209 for and 157 against, or 36 votes short of the necessary two-thirds.

The proposal provided that the President and the Vice President shall be inaugurated in January instead of March, following election, and changing the date of the meeting of Congress accordingly.

The House action permits members of Congress who have been repudiated at the polls to continue to vote in what has been described as "lame duck" sessions. The primary purpose of the reform was to induct new Congresses into office in the January following election, instead of waiting 13 months as is the practice under existing law.

Senator Norris has urged the measure for several years. It has been approved by the Senate four times. Until this session the bill was never permitted to reach the floor of the House.

WATER POWER CONTROL BY GOVERNMENT URGED

Washington, March 17.—Government control of electric power can alone prevent "the power trust getting a strangle-hold on the people," said Senator La Follette.

"Electricity is inherently a public utility and a monopoly. The gigantic forces of electricity will become as important to the earth as the sun's rays," said the Wisconsin Senator. "This is an electric age. One-half of the homes of the country are using electric lighting and two-thirds of the factory machinery is electrically driven."

BUDGET OF BUREAU USURPS AUTHORITY

Washington, March 17.—The Bureau of the Budget was denounced in the House as a usurper of legislative functions. The bureau was declared to be developing into a third House of Congress, with more power than the House and Senate.

The bureau was created several years ago when "efficiency" enthusiasm was at its height. The first Budget Bureau bill was vetoed by President Wilson because it took from the President the power to remove the director Under the present law no request for an appropriation for a department of the government shall come to Congress except through the Bureau of the Budget, which is the agent of the President. The law, however, does not take from Congress or any member the right to originate an appropriation.

Opponents of the Budget Bureau claimed that officials are expanding their power, that they will eventually take "control of the purse" from Congress, and will dictate legislation.

Congressman Johnson of Washington pointed out that the bureau opposes two pending bills that would provide for the transfer to the Department of Labor of certain forfeited vessels and vehicles, not because they did not conform with the financial policy, but because "they fear they will lead to abuses in the seizures of automobiles."

"I contend," said Mr. Johnson, "that such a question is one for Congress to decide."

FIVE-DAY WEEK SURE, SAYS BIG FINANCIER

Philadelphia, March 17.—A two-days' holiday for every working man is predicted by John J. Raskob, chairman finance committee of the General Motors Corporation, according to a statement by the Regional Planning Federation.

"Electricity, coupled with the inventive skill of man, will eventually bring this about," Mr. Raskob was quoted. "In the case of most workers, these holidays would be Saturday and Sunday. Although all toilers might not have their holidays over the week-end, it is not inconceivable that every one will have two days off some time during the week, as is dictated by the character of his work."

COMPENSATION CHANGE URGED BY UNIONISTS

Denver, March 17.—The State Federation of Labor is circulating petitions to initiate four amendments to the Colorado workmen's compensation act.

One change would have compensation based on the weekly wage of an injured employe instead of computing the total earnings in six months and dividing by 26. The present plan lowers the compensation paid as the average worker is not steadily employed.

COSTLY ANTI-UNIONISM

Pittsburgh, March 17.—The anti-union policy of the contract-breaking Pittsburgh Coal Company is proving a costly venture. Its reports for the year ended December 31, 1927, just published, shows a net loss of $1,880,596. Net loss the previous year was $2,114,676.

Terror Grips Coal Strike Section; Owners Aid Reds To Split Labor

Washington, March 17.—Conditions in the Pittsburgh coal strike area are declared to amount to a "reign of terror" in a report by a subcommittee of the Senate Interstate Commerce Committee which recently made a tour of this region. Members of the committee — Senators Gooding, Pine, Wheeler and Wagner—expressed their admiration for the courage of miners who are battling for American living standards.

"Everywhere your committee made an investigation," the report declares, "we found coal and iron police and deputy sheriffs in great numbers. They weigh from 200 to 250 pounds and are heavily armed and carry clubs, usually designated as 'blackjacks.'

"Everywhere your committee visited they found victims of the coal and iron police who had been beaten up and were still carrying scars on their faces and heads from the rough treatment they had received."

The report stated that the investigators found "the slimy trail" of the "Ohio and Pennsylvania Relief Society" everywhere they visited. This organization is preaching revolution. At first the miners accepted aid from the society, but now refuse these offers, the Senators said.

At no place did the coal and iron police interfere with the Communists, but the strikers are clubbed at the slightest provocation.

From 30 to 40 per cent of the non-union miners are negroes. These are housed in unsanitary barracks that are infested with vermin "and hardly fit to house beasts much less human beings who are employed in the mines all day where the sun's rays never penetrate and where at best the air they breathe is never pure."

The coal owners pay no attention to sanitation or moral conditions. The committee stated it was "shocked" at statements by H. F. Baker, president of the contract-breaking Pittsburgh Terminal Coal Company, who told the committee that he "had been very prominent in social work in Pittsburgh." This coal owner made no apology "for the dirty, filthy, vermin-infested conditions the committee found in the bunkhouses" occupied by strikebreakers. Mr. Baker, the report adds, did not consider the communistic Ohio and Pennsylvania Relief Society to be dangerous.

The committee refused to accept a report to Governor Fisher that striking miners shot into school houses and barracks occupied by their families.

"We are not willing to believe that the miners shot into their own homes and their own school houses while they were occupied by their own wives and children," the report states.

Coal Owners Favor Miners' Union If Handled Along Company Lines

Washington, March 17.—Disavowal of collective bargaining was recorded by William G. Warden, chairman of the Board of Directors of the Pittsburgh Coal Company, at the coal strike hearing conducted by the Senate Interstate Commerce Committee.

"I prefer to deal directly with my employes," said Mr. Warden. The coal owner said he signed the Jacksonville agreement but never read it. He broke the agreement, he said, on the advice of Don A. Rose, attorney for the company, who assured him such action "was within the law."

Mr. Warden expressed the belief that his non-unionists "are happy, contented and well-paid." He said he would discharge any member of the coal and iron police who is brutal.

"Name a single case in which such action was taken," said Senator Gooding.

"I will have to look it up," was the reply.

The witness said R. B. Mellon, a brother of the Secretary of the Treasury, is a member of his board of directors.

Other coal owners were less outspoken in their opposition to collective bargaining. They accepted the principle, but believe it is "unworkable in this case."

"I believe in collective bargaining, but I don't like outsiders coming in to tell us how to run our business," said F. E. Harriman, president of the Clearfield Soft Coal Corporation, a subsidiary of the New York Central Railroad.

TEAPOT OIL MONEY 'EDUCATES' VOTERS

Washington, March 17.—In its oil scandal probe the Senate Public Lands Committee discovered how politicians controlled the foreign language press of this country that circulates among hundreds of thousands of foreign-born citizens.

M. J. Pessin, New York advertising man, said that William Boyce Thompson, prominent big navy advocate and finance chairman for the Republican Party; the late John T. Pratt, to whom Will Hays said he gave $50,000 of the Sinclair bonds, and Senator T. Coleman duPoint of Delaware, purchased the American Association of Foreign Language Newspapers in 1919. This purchase was used in the Harding-Coolidge campaign.

Contributors to this fund that was intended to "educate" foreign-born citizens, included Secretary of the Treasurer Mellon, the Commonwealth Edison Company which is controlled by Samuel Insull, whose contribution to Frank L. Smith resulted in the latter's expulsion from the United States Senate; American Radiator Company, Steel and Tube Company of America, meat packing firms of Swift and Wilson, Continental and Commercial Bank of Chicago, First National Bank of Chicago, American Smelting and Refining Company and Libby, McNeill & Libby, meat packers.

COAL AND IRON POLICE ARE AIDED BY RAILROAD

Washington, March 17.—The Pennsylvania railroad aided coal owners in organizing their coal and iron police, according to testimony before the Senate Interstate Commerce Committee that is investigating the coal strike.

C. E. Lesher, vice president of the Pittsburgh Coal Company, told the committee that the private army was organized by Capt. John Z. Searsch while on leave of absence from the Pennsylvania railroad, whose police force he heads.

Mr. Lesher stated that the coal and iron police are responsible only to the company. The witness acknowledged that there has been an increase in mine fatalities in the Pittsburgh district since the coal owners broke with the union.

PRINTERS RAISE WAGES

Cleveland, March 17.—A three-year contract has been signed by the Typographical Union and employing printers. Effective April 1, wage rates will be $48 the first year, $49 the second year and $50 the third year. The latter rate, however, will depend upon business conditions at that time. A conference between the two parties will adjust differences of opinion that may then exist.

FULL-TIME INDUSTRY PRODUCES TOO MUCH

Albany, N. Y., March 17.—Industry has developed to such a point that a 90 per cent production would flood the market, according to the Industrial Survey Commission in its report to the State Legislature.

The report states that chief among the developments of great significance is "the apparent high degree of over-productive capacity in each of most of the principal competitive industries in the State and probably throughout the country."

"It seems apparent that if, in any given industry, all of the respective plants constituting that industry were to operate at ordinary capacity 90 per cent of the normal working days of the year, there would be produced a far greater quantity of goods of that particular line than could possibly be consumed," the report states.

"It does no good to inquire whether the development of this over-capacity has been wise or unwise. It has been done and it cannot be undone. No one would favor the scrapping of efficient machinery and the return to more primitive methods. We must go on with the procession."

The commission suggests that new industries be established, among them the airplane industry.

A cautious plea for the non-union shop in the building industry is concealed in the commission's wordy plea for "equal rights" in discussing conditions in this industry.

PAINTERS' WAGE ISSUE WON IN SUPREME COURT

Washington, March 17.—The United States Supreme Court has refused to intervene in a controvery between the Painters' Union of this city and the Barker Painting Company of New York.

The employing firm secured a contract to decorate a large hotel but would not pay the New York wage rate, which is higher than the Washington scale, as provided by the union rules. The painters refused to work and the company secured an injunction that was later dissolved.

The Court of Appeals dismissed the company's plea for a reversal on the ground that "it is clear that the union painters were free to accept or reject employment upon the terms offered by the appellant (Barker) and correspondingly appellant was free to accept or reject the terms of employment offered by the men."

This position is sustained by the Supreme Court. The company claimed the painters' action an unfair restraint of trade, both at common law and under the anti-trust acts.

STOCKHOLDERS IN CLOVER

New York, March 17.—Employes in various plants of the General Motors Corporation are dissatisfied with wage rates, but the world is bright for stockholders of this mammoth organization.

Recent advances in this stock in Wall Street has called attention to profits of the corporation. It is shown that 10 shares at $100 a share, purchased in 1908, has grown in value to $151,400. This is exclusive of dividends.

DRIVERS ADVANCE

Chicago, March 17.—A two-weeks' vacation features a three-year contract between the Bakery, Cracker, Pie and Yeast Wagon Drivers' Union and bakery proprietors.